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HONORABLE SALVADOR  
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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
AT SPOKANE

ANDREW M. RICHMOND, a  
Washington Resident,

Plaintiff,

v.

SPOKANE COUNTY,  
WASHINGTON, a Washington State  
County,

Defendant.

No. 2:21-cv-00129-SMJ

**JOINT STATEMENT OF  
UNCONTROVERTED FACTS**

NOTE ON MOTION CALENDAR  
WITH ORAL ARGUMENT:  
August 18, 2022 at 1:30 pm

Pursuant to the Case Scheduling Order entered in this matter (ECF No. 13), in connection with Defendant's Motion for Summary Judgment (ECF No. 86), the parties submit the following joint statement of uncontroverted facts. The uncontroverted facts in Section I are stated as recited in Defendant's Statement of Undisputed Facts In support of Defendant's Motion for Summary Judgment Under LR 56.1(a) (ECF No. 87). The uncontroverted facts in Section II are from Plaintiff's Statement of Disputed Facts in Support of Plaintiff's Opposition to Defendant's Motion for Summary Judgment Local Rule 56(1)(a) (ECF No. 93). The parties maintain that other facts are uncontroverted, but have only reached a stipulation that the below material facts are uncontroverted. Consistent with LCR 56, this document details uncontroverted material facts.

JOINT STATEMENT OF  
UNCONTROVERTED FACTS - 1  
CASE NO. 2:21-cv-00129-SMJ

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**I. Uncontroverted Facts from Defendant's Separate Statement of Undisputed Facts.**

**Defendant's Fact No. 1.** Plaintiff Andrew Richmond ("Plaintiff" or "Richmond") is an African-American male who was hired by the Spokane County Sheriff's Office ("SCSO") as a commissioned Sheriff's Deputy in May 2014, as a lateral transfer from the nearby Airway Heights Police Department.

**Defendant's Fact No. 4.** SCSO has a policy regarding unlawful discrimination, harassment, and retaliation.

**Defendant's Fact No. 5.** Approximately two years after being hired, Plaintiff applied for a Field Training Officer ("FTO") position within SCSO. Plaintiff interviewed for the role, was offered the position, and accepted it.

**Defendant's Fact No. 7.** Plaintiff also claims that a couple days after the December 22, 2016 call, Thurman approached him and told him that he'd been referring to "inner city" Black people who "riot and loot," when he made the December 22, 2016 comment to Kullman.

**Defendant's Fact No. 8.** Thurman had the rank of detective corporeal in December 2016. He was promoted to the rank of sergeant in December 2018.

**Defendant's Fact No. 14.** Sheriff Knezovich placed Thurman on administrative leave on May 8, 2019 pending the outcome of the IA investigation.

**Defendant's Fact No. 15.** Sergeant Hines conducted an initial interview of Plaintiff on the afternoon of May 8, 2019.

**Defendant's Fact No. 19.** Based on this conduct and other inappropriate conduct, Sheriff Knezovich found that Sergeant Thurman violated SCSO's policies, which warranted demotion and termination of his employment effective June 13, 2019.

**Defendant's Fact No. 42.** During the time period between May 8, 2019, and before Plaintiff resigned his employment with the County on July 29, 2019, Plaintiff

1 heard that Inspector Lyons stated that he did not think Sergeant Thurman's conduct  
2 was a policy violation.

3 **Defendant's Fact No. 49.** Plaintiff started work with the City of Spokane  
4 Police Department in August 2019 and has worked there since.

5 **Defendant's Fact No. 50.** Plaintiff filed his EEOC Charge on April 6, 2020.

6 **Defendant's Fact No. 51.** Plaintiff filed his Complaint in this case on March  
7 30, 2021.

8 **II. Uncontroverted Facts from Plaintiff's Separate Statement of Disputed**  
9 **Facts.**

10 **Plaintiff's Fact No. 1.** In 2014, Andrew Richmond followed in his father's  
11 footsteps and accepted his "dream" job as a Deputy at the Spokane County Sheriff's  
12 Office ("SCSO"). Documents and witnesses agree that, between then and his July  
13 2019 resignation, Richmond *excelled and was a "great" officer.*

14 **Plaintiff's Fact No. 2 (subpart).** Since 2017, Dave Ellis has been  
15 Undersheriff for the SCSO. This is the second-highest ranking SCSO officer.

16 **Plaintiff's Fact No. 2 (subpart).** Today, Ellis serves as the SCSO Spokane  
17 Valley Police Chief/Undersheriff.

18 **Plaintiff's Fact No. 2 (subpart).** [I]n deposition SCSO Deputy Veronica  
19 VanPatten stated that Thurman "loudly" and "aggressively" yelled "you fucking  
20 ni\*\*er" at a citizen in approximately 2018.

21 **Plaintiff's Fact No. 16.** In February 2018, Richmond interviewed for a  
22 specialty position at the SCSO. Thurman was on the hiring committee.

23 **Plaintiff's Fact No. 21.** Internal Affairs investigated between May 8 and June  
24 7, 2019. During that investigation, Thurman never denied making the "kill ni\*\*ers"  
25 statement. Nor did he deny Deputy Van Patten's statement that he yelled "you  
26 fucking ni\*\*er" at a citizen.

27 **Plaintiff's Fact No. 22 (subpart).** In June 2019, the Sheriff fired Thurman.

**Plaintiff's Fact No. 25.** Police Chief Mark Werner and Inspector Matt Lyons were the two highest ranking officers at Richmond's precinct and his supervisors.

DATED: August 3, 2022

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